Judge J. Thompson Brown and Mr.
Lawis Brown, of Nelson county, have been added to the array of counsel for Judge Loving. There are now six lawyers present for the defense, and direct for the Commonwealth.

Promptly at 10 o'clock, Judge Barkedale, laden with many law books, nacended to the benell, and the speriff. Mr. Sheppard, opered court. Counsel for the defense were all present, but Mesers, Bouldin and Harmon web not in court, and the trial was delayed for ten minutes until they could be sent for.

It is indicative of the feeling which exists in Nelson county regarding the traredy that the adherents of each house on which sits counsel, respectively, for the defense and the Commonwealth. Around Judge Loving, and behind his attorneys, are gathered those friendly to him, while across the way sits Sheriff Extes, Mr. John Swanson and those Triendly to the Bates family. Throughout the case is steam, and the court of the Creating that certain testimony, favorable to the defense, has been made by the Estes family.

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then began a further argu-defense of the position of the nwealth. He asserted that words are not sufficient to re-nurder in the first degree to





writing, has been made by the Estes family.

Counsel for defense declare that certain witnesses, who repeatedly told what they had seen on the night of April the 21st, when Estes took Miss Elizabeth Loving driving, now say they have forgotten the incident and their minds cannot be refreshed.

It was 10:10 o'clock when argument in the case on the objection raised by the Commonwealth began.

Hon. Aubroy E. Strode, of counsel for the defense, addressed the court and adduced many additional authorities, upholding the contention of the defense, addressed the condition of his daughter is proper oridence to go before the jury.

He asserted that in Virginia the bench and bar had been in accord on the question at issue, and had so unanimously agreed that such evidence was admissible: that the authorities in this State are limited in criminal cases, but that in civil cases along the same line, the authorities are numerous.

"Wend Be Mockery of Junice."

"If this man is not allowed to tell its provocation, he will be branded." "If this man is not allowed to tell his provocation, he will be branded here as an assassin, and it would be a mockery of justice," exclaimed Mr. Bouldin, attorney for the Commonwealth, as to the position of counsel for the defense regarding "cooling time" when an act is committed, counsel for the defense destared that the question should be decided by the jury under instruction from the court.

Mr. Daniel Harmorr, for the prosedrugs them and ruins them. If Estes said anything I did not hear im. If made a motion as though to go towards the other door of the car, and I fired. As he fell I fired again. I went back to my buggy and got Mr. McCinniss and went and gave myself up to a justice."

When asked if he could remember what he stated at the preliminary

what he stated at the preliminary trial, witness said he could not re-member the exact words, but that he Harmon was followed by Mr. Bouldin, Commonwealth's Attorho controuded that it had always the practice in the courts of fad up monitor of Atmos xunious that he had not touched liquor for two months prior to sav in a fact when the practice in the courts of the day before the killing, he said that he had not touched liquor for two months prior to the killing.

Tells of the story of the running that he had not touched liquor for two months prior to the killing.

Judge Loving, in answer to a que Judge Loving, in answer to a question, of the logical argument was closed at ordiock, and Judge Barksdale at when in 1887, the year after his marriage, he became a drunkard; that he em to me that Judge Loving littled to all the evidence tend-prove the state of his mind at me the act was admitted, and have the benefit of the eviand I shall admit it," were Barksdale's closing words after large the argument and alluding many case cited by both sides.

Withese said.
Loving about an hour atterned to find Theodore Estes. He had no idea of catching Judge Loving because to Judge Loving had too great a start; he had happened." Withese said he had seen Mr. Self He was asked by Mr. Bouldin what Mrs. Loving, his sister, before he followed Judge Loving.

He was asked by Mr. Bouldin what Mrs. Loving had said to him. Mr. Lea objected, and the court ruled the question out, but not before Mr. Bouldin what the first he issked ayor Court their adjourned until 2:15 colored.

BHSS LOVING TESTIES

BHSS LOVING TESTIES

When I tolum.

And unnatural-looking that it will and unnatural-looking that it believed, I had killed my father.

Miss Loving was then cross-examined by Mr. Wood Bouldin, Commonwealths attorney of Hailfax, who had before to provide a tolum.

And unnatural-looking that it will unnatural-looking that it wi AT AFTERNOON SESSION

Court was called to order at 2:15 or clock for the afternoon session, and Miss Elizabeth Loving entered the courtroom, accompanied by her auntimiss Snead. Miss Loving was dressed in black, wearing a black veil, her face was flushed, and she appeared to have been weeping. She was extremely nervous, and wore a haunted look as she sat beside her father. The jury was called, and then Judge Barksdale said:

| Diaced his hands over again the withess broke down and gobbed for several minutes. She told of being unconscious from the time Estes drove her up the lonely mountain road until midnight, when she awakened in bed in Mrs. Kidd's house, her teeth chattering, her body wracked with a chill. Once Mr. Bouldin called witness "Miss Estes" by mistake, and Miss Loving Mr. Bouldin here began to ask questions regarding drinks that Miss Lov.

called, and then Judge Barksdale said:
"Mr. Sheriff, clear the court." All were ordered out except the har and the press, and Miss Loving took the stand, her lips tembling and her hands clutching convulsively. She removed her veil and gloves as she sat in the witness, chaff, and as she answered the questions propounded by Mr. Lee she wiped her lips continuously with her handkerchief and at the prosecution which led to her recital of they introded.

Mr. Bouldin here began to ask questions regarding drinks that Miss Loving is charged to have had, Mr. Lee she defended, and the jury was sent out in order that the objection could be argued.

Cross-Firing of Lawyers.

When the jury re-entered, the prosecution withdrew the question. Mr. Moore, for the defense, then asked the prosecution withdrew to say whether or not

l by ecution withdrew the question. Mr. bussy the prosecution to say whether or not they intended to pursue such a line of examination, claiming that the very her not "even although they are not answered and sre withdrawn."

Mr. Bouldin replied that no question was "improper" until it was asked. if a Mr. Strode exclaimed: "The question ness" you just asked was improper, and the

you just asked was improper, and the fact that you have withdrawn it, proves that you knew it was improper.

Bouldin replied: "You ma

the road: that she tried to step film, but he went on.

"I asked her had Estes assaulted her or tried to.

"I asked her had Estes assaulted her or tried to.

"I she replied the forced himself ground not. I tried to resist him, but I could not. I tried to resist him, but I could not. I tried to sereous, but I sampose no one heard me."

"Witness said: "She was my prich I admired her beauty and her purisy. I would have killed the man who had whitspered anything about her. To whitspered anything about her anything anything about her anything anything

road turns at the gap; one road goes to break Lovingston, and one road goes up the mountain."

Q. "How many miles, now, would you have to drive from that point to gat back to Lovingston?"

Witness: "Do you mean from the point where the road turns?"

Mr. Bouldin: "From the point where the road turns?"

Q. "you?"

A. "Bouldin: "From the point where the road turns?"

the road. I have not any idea now far we had gone on the mountain road."

Road Little Traveled.

Q. "Is that little mountain road much traveled that you went on?"

A. "I don't think it is a great deal. It goes over in the Cove. I don't think it is a great deal. It goes over in the Cove. I don't think it is traveled much. I never have been over it but a very few times."

Q. "Isn't it about two miles from two reacher to go to her that morning. Ow'll make the measure for my skirt. I had an engagement to go to her that morning. Now the measure for my skirt. I had an engagement to go to her that morning. Now the measure for my skirt. I had an engagement to go to her that morning. Now the measure for my skirt. I had an engagement to go to her that morning. Ow'll it about two miles from two was not able to go, so she came up there to take the measure to the skirt."

Witness: "The gap?"

Witness: "The gap?"

Witness: "The gap?"

Witness: "The gap?"

A. "I told you I could not because I had been over that with leafternoon. You mean when I drove with him? You see he left mea three."

Q. "With Miss Kidd?"

A. "Yes."

Q. "Miss Kidd was just about to go off on a drive when you got there?"

A. "Yes."

Q. "Joint' you discuss the sort of or any that it about two miles from the making of your feest?"

A. "Yes."

Q. "Did you not discuss with Miss Shellon the making of your dress?"

A. "Yes, she came in and took the measure for my skirt. I had an engagement to go to her that morning. Or "With Miss Kidd?"

A. "You went in the house of Mrs. Spencer?"

A. "Yes."

Q. "You went in the house of Mrs. Spencer?"

A. "Yes."

Q. "You stayed there until they because I had been over that with

Lovingston?"

Witness: "The gap?"

Mr. Bouldin: "No, to the point that you stated he attempted to force himself upon you."

A. "I told you I could not tell you exactly, so I cannot say pos-

itively the distance."

Q. "Was that on the return to Lov-Q. "Wa ingston?"

Q. "On that occasion did not you tell Mrs. Kidd or Miss Kidd that you had taken too large a drink?"

A. "No."

Q. "That you had once before taken too big a drink at Belleview, and it had made you a little intoxicated?"

A. "No.! Idd not tell her that. Drinking was not mentioned to Mrs. Kidd

"The subject of drinking was not

PRICE TIMES - DISPARCHI

Self-complete the bulleton street and the complete the com

until you returned and arrived at Mrs.

Kidd's house?"

A. "Yes."

Q. "Could you give the jury any idea of how far that little road he went oft on was from Lovingston?"

A. "Well, where the road turns it is the same distance as the gap. The was and to see if I could eat any road turns at the gap; one road goes to Lovingston, and one road goes to the road turns at the same in to school." Q. "Did Miss Kidd remain with you that morning?"

A. "Yes. She was in the room."

A. "Yes. She was in the room.

Q. "Occupy the same room with

because I had been over that with her before. She simply wanted the measurement that morning." Q. "And she did make the measure-

Did Not Tell Uncle Anyt

A. "No: I don't remember telling Uncle Harry anything at 'all. They knew when I left home that I was to spend the night."

Q. "They knew when you left home that you were to spend the night."

A. "Yes."

G. "You didn't tell Mr. Shead to tell the night of the spend that you were going to the spend that you were going to the spend that you were going to

Spencer?"

A. "Yes."

Q. "You stayed there until they came back?"

A. "Yes."

Q. "Now, when they came back, didn't Miss Kidd request Theodore Estes to take you to drive?"

A. "Suppose she had. I don't know whether she had requested him or not. She requested me."

Q. "He had just driven with her?"



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CO CULTIVATE THE HABIT OF SAVING,